

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JUL 23 2014

SEAN F. McAVOY, CLERK
DEPUTY
SPOKANE, WASHINGTON

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

ELADIA TAVARES,

Plaintiff,

v.

CAROLYHN W. COLVIN, Acting

Commissioner of Social Security,

Defendant.

NO. 2: 13-CV-3102-SAB

**ORDER GRANTING STIPULATED
MOTION FOR REMAND**

Before the Court is the parties' Stipulated Motion for Remand, ECF No. 22. The parties stipulate that the above-captioned case be reversed and remanded for further administrative proceedings, including a *de novo* hearing pursuant to sentence four of 42 U.S.C. § 405(g).

Accordingly, **IT IS HEREBY ORDERED:**

1. The parties' Stipulated Motion for Remand, ECF No. 22, is **GRANTED**.

2. The above-captioned case is **remanded** to the Administrative Law Judge.

3. On remand, the ALJ shall offer Plaintiff an opportunity for a new hearing, further update the medical record, and issue a new decision, as follows:

a. The ALJ shall consider all medical source opinions, including but not limited to the medical opinions from treating medical sources, Dr.

Palmatier, Dr. Hales, Dr. Sauerwein, and Dr. Nemri and further evaluate the nonexamining opinions of Dr. Lorber and Dr. Scottolini;

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1 b. The ALJ should provide specific reasoning for the weight given to
2 opinion evidence, discussing the evidentiary basis for conclusions;

3 c. The ALJ should consider all impairments and functional limitations
4 with the assistance of expert medical testimony, if warranted;

5 d. The ALJ will fashion a complete residual functional capacity finding
6 and include all unrejected work related limitations in the residual functional
7 capacity finding; and

8 e. If necessary, the ALJ should consult a vocational expert, and make a
9 finding as to whether Plaintiff is able to perform his past relevant work or
10 can make an adjustment to work existing in significant numbers in the
11 national economy.

12 4. Within 10 days after the date this Order is filed, Plaintiff shall file her
13 request for attorney fees under the Equal Access to Justice Act, 28 U.S.C. § 2412.

14 **IT IS SO ORDERED.** The District Court Executive is hereby directed to
15 file this Order and provide copies to counsel.

16 **DATED** this 23 day of July, 2014.



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STANLEY A. BASTIAN
United States District Judge